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## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11

LEHMAN BROTHERS HOLDINGS INC., et al. : Case No. 08-13555 (JMP)

Debtors. : (Jointly Administered)

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## STATEMENT OF DEUTSCHE BANK AG AND DB ENERGY TRADING LLC IN SUPPORT OF APPROVAL OF DEBTORS' DISCLOSURE STATEMENT FOR SECOND AMENDED JOINT CHAPTER 11 PLAN

Deutsche Bank AG and DB Energy Trading LLC, through their undersigned counsel, hereby file this statement in support of this Court's approval of the Debtors' Disclosure Statement for Second Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Affiliated Debtors Pursuant to Section 1125 of the Bankruptcy Code [Docket No. 18205] (the "Disclosure Statement"), filed by Lehman Brothers Holdings Inc. and its affiliated chapter 11 debtors (collectively, the "Debtors") on July 1, 2011 in the above-captioned case.

Deutsche Bank AG and DB Energy Trading LLC are parties to separate Plan Support Agreements (the "PSAs") with the Debtors. Subject to the terms and conditions of the PSAs, Deutsche Bank AG and DB Energy Trading LLC support the approval of the Disclosure Statement.

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For the avoidance of doubt, Deutsche Bank AG makes this statement without prejudice to its rights and remedies in the dispute referenced at page 4-9 of Exhibit 4 of the Disclosure Statement concerning the Debtors' proposed re-classification of certain allowed claims initially held by Lehman Brothers Bankhaus AG, and Deutsche Bank AG reserves its rights to object to such re-classification, to seek discovery, and otherwise to defend its interests in connection therewith.

Dated: August 11, 2011

New York, New York

**BINGHAM MCCUTCHEN LLP** 

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